

10/25

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ROANOKE CALENDAR - OCTOBER 27, 2003**

(The Honorable William F. Stone, Jr. Presiding)

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:

Debtors:

Case Nos.:

Trustees:

**9:30 A.M. - CONFIRMATIONS**

*Note: Hazlewood case moved to 11:00 – time of hearing scheduled in continuance order @P.6*

M Hart	GROVER & PATSY STUMP	7-03-03215	Connelly/SL
	<i>note: conf, etc. was set 10/6</i>		
	Valuation: Moore Loans Inc - 2001 Hyundai Sonata, filed 9/11; d/e # 22		
	<b>Obj w/Memorandum:</b> Moore Loans Inc t/a MAC (Curley) filed 9/24, d/e # 25		

***–ORDER OF 10/24 CONFIRMED PLAN, CANCELS HEARING***

M Hart	ROBERT & JESSICA JOHNSON-ch13	7-03-00075	Connelly/SL
	Mod Plan #2 filed 9/9; d/e # 38, 39 , <i>contd from 10/27</i>		

Roanoke Calendar - 10/27/03

**9:30 A.M. - CONFIRMATIONS**

Delafield	ROGER & PATRICIA CUNDIFF-chl3	7-03-01488	Connelly/AF
	Mod Plan filed 9/8; d/e # 45, 46, <i>contd from 10/27 for notice to limited creditors &amp; service of proper plan #3 (filed 9/8)</i>		
	Trustee Motion to Dismiss/convert , d/e # 17, contd from 9/8 hearing		
	Motion for Compensation filed by Debtors' attorney in the amount of \$1,100 and Motion for Distribution [d/e # 49]		
Ludwig	ROGER & LUELLEN MOORE-chl3	7-02-03117	Connelly/NS
	Mod Plan filed 9/8; d/e # 28, 290		
Mayer	FREDDIE & PEGGY DUDLEY-chl3	7-03-01913	Connelly/VS
	Mod Plan #1 filed 9/9; d/e # 33, 34		
	<i>Trustee's Motion to Convert/Dismiss cont'd from 8/25 dkt.; d/e # 29</i>		
Krippend.	FREDERICK DOUGLAS	7-03-02561	Connelly/GR
	Mod Plan #1 filed 9/5; d/e # 20, 21		
	<b>Objection:</b> Regional Acceptance Corp. (Kirkpatrick) [d/e # 23]		
	Motion for Valuation: 1999 Honda Accord: Regional Acceptance Corp, filed 9/5; d/e#18		
P Brown	EUGENE & BELINDA WILLIAMS-chl3	7-03-01283	Connelly/VS
	Mod Plan filed 9/8; d/e # 28, 29		
	<i>Trustee's Motion to Convert/Dismiss cont'd from 8/25 dkt.; d/e # 26</i>		

**9:30 A.M. - CONFIRMATIONS**

M Hart                      TULITA PATTERSON-chl3                      7-03-03430                      Connelly/VS  
Mod Plan filed iin court 10/27  
Trustee Report, Obj and Motion to Dismiss/Convert, filed 10/1; d/e # 17 *contd fr 10/27*

Obj of Debtor to Claim #2: Fairbanks Capital filed 9/24, d/e # 14  
Response of Creditor filed 10/7; d/e # 19, (Clarke).

Janney                      KRYSTAL RUTLEDGE                      7-03-00950                      Connelly/SL  
Mod Plan filed 8/27; d/e # 38, 40 *contd from 10/27 to confirm if pmts are current*  
Trustee Motion convert/dismiss filed 4/21 d/e # 16, *contd fr 5/27, 7/14, 8/25 & 9/22*  
**Objection:** GMAC Mortgage (McQuiddy) [d/e # 31 *contd fr 8/25 & 9/22*

Janney                      DAVID & ROBIN BURNETTE                      7-03-02444                      Connelly/SO  
Plan filed 6/9; d/e # 6 *contd fr 8/25*  
Trustee Report, Obj & Showcause: Dismiss/convert filed 8/8; d/e # 15 *contd fr 8/25*  
Trustee's Supplemental Report, Obj. & Show Cause filed 8/19 [d/e # 18] “

Valuation: 1999 Dodge Caravan: Transouth Financial , filed 8/20; d/e # 19

Valuation: Bedroom Furn & Refrigerator: Heilig Meyers Master Trust, filed 8/20/d/e#20

T Giles                      ETHAN DOGAN-chl3                      7-03-03286                      Connelly/JJ  
–**Mod Plan filed 9/24, d/e # 18, 19 set for conf on 11/10 @ 9:30**  
Trustee Motion to Dismiss or Convert filed 9/24; d/e # 16

**9:30 A.M. - CONFIRMATIONS**

Hart KATHRYN TESTER-chl3 7-03-03290 Connelly/LM

Plan filed 8/1; d/e # 6

Trustee Report, Obj & Motion to Dismiss or Convert filed 9/24; d/e # 18

Objection to Claim # 3 of Valley Motors in the amount of \$1,535 [d/e # 16]

Valuation: Jewelry: Friedman's Inc. Filed 8/13; d/e # 13

***Order entered (default) on 9/30***

Valuation: 1989 Nissan 240SL : People's Loan Co, filed 8/18; d/e # 14

***Order entered (default) on 9/30***

Delafield HARLO N & JOY HARMON 7-03-03391 Connelly/GR

Mod Plan filed 10/27\

**Objection:** USA/IRS [Eckert] *contd from 10/27*

Trustee Report, Obj & Showcause: Dismiss/convert, filed 10/1; d/e/ # 18 *contd fr 10/27*

Valuation: 1997 Suzuki Sidekick: Cars Financial Inc., filed 8/18; d/e # 10

Valuation: Bedroom & Dining Room Furn.; Schewel's Furn. Co, filed 8/18; d/e # 11

Valuation: Wedding Rings: Friedmans Jewelers, filed 8/18; d/e # 12

Delafield RODNEY & PEGGY AKERS - Ch. 13 7-03-03448 Connelly/AF

***Mod Plan filed 10/7; conf on 12/8 @ 9:30*** ; Obj of Member One FCU on 12/8 also

Trustee Report, Objection & Showcause: Dismiss/convert, filed 10/1; d/e # 19

Motion # 1: Avoid lien filed 9/15 [d/e # 15]

Debtors v. Tico Credit Company ( ) & Trustee

### 9:30 A.M. - CONFIRMATIONS

Pro se	MICHAEL WASHINGTON	7-03-03382	Connelly/SJ
	No Plan filed		
	Trustee Report, Objection & Showcause: Dismiss/convert filed 10/1 & 10/14 [d/e # 18]		
	<b>–Order entered 10/16 dismissing case on debtor’s motion</b> [d/e # 20]		

Giles	BETTY AUSTIN	7-03-01855	Connelly/SL
Amended Plan #3 filed 9/5; d/e # 29, with c/s all creditors - <i>contd from 10/6</i>			
Trustee Motion dismiss/convert filed 6/4 ,d/e#15, contd to hear w/mod plan			

Delafield	DENNIS & RONNI MILLER - Ch. 13	7-03-03102	Connelly/SJ
	Plan filed 8/26; d/e # 15 ; <i>contd from 10/6</i>		
	Trustee Report, Objection & Showcause: Dismiss/convert filed 8/27; de # 17		
	Trustee Report, Objection & Showcause: Dismiss/convert filed 10/1; d/e # 26		

Motion for Valuation of 2000 Mitsubishi Eclipse in the amount of \$14,969.48;  
Mitsubishi Motors America, Inc., creditor [d/e # 18]  
*Amended Notice filed 9/25; d/e # 23 : Mitsubishi Motors Credit of America Inc.*

Motion # 1: Avoid Lien filed 9/15 [d/e # 19]  
Debtor v. Wells Fargo Financial, Inc. ( ) & Trustee

Motion # 2: Avoid Lien filed 9/15 [d/e # 20]  
Debtor v. Beneficial Virginia Incorporated ( ) & Trustee

M Hart	GARY & DIANE BAILEY	7-03-03390	Connelly/LM
	Plan filed 8/7; d/e # 6		

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**9:30 A.M. - CONFIRMATIONS**

P Brown      CLYDE & BILLIE DEWOODY      7-03-03419      Connelly/GR  
Plan filed 8/11; d/e # 6  
Trustee Report, Objection & Showcause: Dismiss/convert filed 9/24; d/e # 14

Delafield      THOMAS, JR., & CHARLOTTE SMITH - Ch. 13      7-03-03428      Connelly/AF  
–***Mod Plan filed 10/24; set for conf. 12/22 @ 9:30***  
Trustee Report, Objection & Showcause: Dismiss/convert, filed 10/1; d/e # 17

Motion for Valuation of 1999 Mercury Sable GS; lienholder, Arcadia Financial  
Ltd, d/b/a Arcadia Auto Financial Ltd. [d/e # 15]

Shelor      DEBORAH COULTER      7-03-01402      Connelly/SJ  
Amended Plan filed 9/12; d/e # 29, 30, 31

M Hart      WILLIAM (JR) & MELISSA JOHNSON\SMITH      7-03-03291      Connelly/GR  
Plan filed 8/1; d/e # 6 *contd from 10/27 to cure 1 mo arrears in pmts*  
Trustee Report, Objection & Showcause: Dismiss/convert filed 9/24; d/e # 16

Motion for Valuation filed 8/13; d/e # 13: 2001 Grand Caravan: Transouth Fin.  
–***Order of 10/3 determined value @ \$14,500***

**11:00 A. M. - CHAPTER 13 CONFIRMATIONS**

M. Giles      STEPHAN & ANGELA HAZLEWOOD - Ch. 13      7-03-02428      Connelly/AF

Plan filed 6/6 [d/e # 6] *contd fr 8/25 pending filing of stips & briefs by 10/10; briefing extended by 10/10 ord to close of business on 10/20 - nothing filed as of 10/23*

*Re: 401k loans/contributions / disposable income*

Trustee Report, Objection & Showcause: Dismiss/convert filed 7/23 d/e # 16

*note: see also Chapter 13 confirmation scheduled 11: 00 next page and at 2:00 p.m. on page 9*  
Roanoke Calendar - 10/27/03

**11:00 A. M. - MISCELLANEOUS**

Moses                      ROBERT & TAMMY BRUCE-chl3                      7-98-03851                      Connelly/GR  
Trustee Motion to Dismiss or convert filed 9/29; d/e # 23 *contd from 10/27*

Leach                      GEORGE HALE                      7-98-02376                      Connelly/JJ  
Motion of Trustee to dismiss or convert, filed 10/3; d/e # 73 *contd from 10/27*

M Hart                      DWIGHT CARTER JR                      7-02-03737                      Connelly/NS  
Trustee's Motion to Dismiss filed 10/8; d/e # 56 *contd from 10/27*

Janney                      DANNY UPDIKE                      7-02-03467                      Connelly/NS  
Trustee's Motion to Dismiss filed 10/8; d/e # 71

Bowman                      RONALD & SHIRLEY HARRISON                      7-02-02221                      Connelly/GR

Trustee's Motion to Dismiss or convert, filed 10/8; d/e # 43

Stark                      GLEN MACKEY JR                      7-03-03800                      Connelly/SO  
Motion for Authority to Participate in Virginia Tax Amnesty filed 9/23, d/e # 15  
*Note: Conf of plan set 11/24*

Roanoke Calendar - 10/27/03

**11:00 A. M. - MISCELLANEOUS**

M Hart                      EVELYN RAMEY-chl3                      7-02-01403                      Connelly/VS  
Motion of Debtor to suspend payments , d/e # 46, filed 5/20 granted at 6/23 hearing  
and contd for status of disability application

Motion of Debtor filed 9/5; d/e # 54, 55, 56 to Reconsider Order of 8/22, d/e # 52,  
granting relief in Motion #1:, d/e # 32, styled JP Morgan Chase Bank fka The Chase  
Manhattan Bank (Stark)  
Response of JP Morgan Chase Bank (Stark) to motion filed 10/3, d/e # 57

Delafield                      WESLEY WEBB-chl3                      7-03-02036                      Connelly/JJ  
Mod Plan filed  
  
Motion of Debtor's counsel for compensation of \$1,100.00, filed 9/19; d/e # 25  
*Contd from 10/27 to hear w/mod plan set*

M Hart                      MELVIN GARRETT-chl3                      7-03-02161                      Connelly/GR  
Obj of Debtor to Claim #14: Specialized Plumbing Inc, filed 9/26; d/e # 56

Obj of Debtor to Claim #15: WC Butler Heating & Air Conditioning Inc, filed 9/26;#57



Response filed 10/8; d/e # 69 (Patterson)

Obj of Debtor to Claim #18: Salem Foundations Inc, filed 9/26; d/e # 58  
**RESPONSE filed by Salem Foundations, Inc., 10/21 (McLean); d/e # 76**

Janney                      DOROTHY ALLEYNE-ch13                      7-03-00221                      Connelly/GR  
Motion #1: Relief filed 9/2; d/e # 24, 25, 26, 27  
Aurora Loan Services (Jaffe) v. debtor & trustee

***-CONSENT order entered 10/24 - cancels hearing***

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**11:00 A. M. - MISCELLANEOUS**

Krippendorf      RANDALL MITCHELL - Ch13\*                      7-03-03975                      Connelly /SL  
Motion # 1: Relief-filed 10/6 [d/e # 13]; movant's cert. filed 10/14 [d/e # 23]  
Towers Retail, LLC (King) v. Debtor & Trustee; *relief denied at 10/27 hearing but motion contd for final hearing w/conditions*  
\* **Amended Motion filed 10/20 to reflect Trustee change since conversion to 13** [d/e # 25]  
RESPONSE filed by Debtor 10/15 [d/e # 24]

P. Brown                      TEDDY & SANDRA PORTERFIELD - Ch. 13                      7-01-02982                      Connelly/SJ  
Debtors' Motion to Approve Post-Petition Debt [d/e # 53] *contd from 10/27*

P. Brown                      TODD CHATTING - Ch. 13                      7-99-00658                      Connelly/AF  
Trustee's Motion to Dismiss/Convert [d/e # 48]

**1:30 P. M. - TELEPHONE CONFERENCE IN CHAMBERS**

Copeland      MARSHALL & ALLISON LINEBERRY-      7-03-00313      Wick/  
 A/P 7-03-0057: Det. Dischargeability  
 Blue Ridge Bank NA (J.Gregory,III) v. debtors  
 (Note: J Gregory to initiate call)

**11:00 A. M. - CHAPTER 13 CONFIRMATIONS**

M Hart      MELVIN & IRIS MCLEAN-ch13      7-03-01986      Connelly/JJ  
 Mod Plan filed 8/12 d/e # 26, 27; *contd from 10/6 to hear w/pending motion re relief*  
 Trustee Showcause filed 6/30; d/e # 18 ; d/e # 16, filed 6/25 & d/e # 18, filed 6/30  
*contd by court's order, d/e # 38, to hear w/mod plan*

Debtor Motion filed 9/24; d/e # 34, to Reconsider/Vacate Order of 9/10 , d/e # 32,  
 in Relief Motion #1, d/e # 19, of Chase Manhattan Mortgage Corp(Sasser)  
Response of movant filed to motion to reconsider on 10/2, d/e#36  
*Amended Motion to Reconsider/Vacate filed 10/8 , d/e # 39*

Roanoke Calendar - 10/27/03

**2:00 P. M. - PRE-TRIAL CONFERENCES**

Krippendorf      MARK ANDERSON - Ch. 7      7-03-01912      McLean  
 A/P 7-03-00131: ***Mot of defendant to file late answer\****  
 Capital One Bank (Sinesi) v. Debtor  
***\*9/26 ord approved filing of late answer ; hearing cancelled***

Woodward      LINDA HATCHER-ch7      7-03-00060      McLean/LM  
 A/P 7-03-00023: Determine validity, priority & Extent of liens; *final pre-trial*  
 Debtor v. Fairbanks Capital Corp (McWilliams); EquiCredit Corp of Va(McWilliams);  
 Draper & Goldberg, PLLC (McWilliams) and George McLean, Trustee(McLean)  
***–Motion filed 10/20, d/e # 23, of defendant EquiCredit Corp of Va. (Clarke) for***  
***leave to file Third Party Complaint, Extend Discovery and Continue Pre-Trial***

***–Note: Per ltr 10/23, pre-trial cancelled – proposed agreed order under consideration 15 days for response of counsel to court's inquiry***

H Brown      DOROTHY LEE SCHUDER-ch7      7-03-00196      Krippend/SO  
 A/P 7-03-00088: Recover money or property ; Final pre-trial  
 Evelyn K. Krippendorf, Trustee (      ) v. James Simmons (      )

M Hart                      DONNA SNELLINGS-ch13                      7-03-03459                      Connelly /JM  
A/P 7-03-00150: Recover money or property  
Debtor (Hart) v. Regional Acceptance Corporation (                      )

Smith, C                      KAREN BUSHNELL                      7-03-01811                      Vogel/JM  
A/P 7-03-00105: Recover money or property; *contd from 10/27 for agr ord OR MFSJ*  
Debtor (Smith) v. Platinum Financia Services Corp (                      ) and  
Wolpoff & Abramson LLP (                      )

Roanoke Calendar - 10/27/03

**2:00 P. M. - MISCELLANEOUS**

Small                      WILLIAM HARRISON - ch7                      7-03-02473                      Krippend/VS  
Motion of U. S. Trustee to Dismiss: Substantial Abuse - filed 9/8; d/e # 19  
(Garber) *contd from 10/27 to complete discovery*

Delafield                      JOHNNIE & MARY SEVERANCE -ch7                      7-03-03101                      Krippend./GR  
Motion of U. S. Trustee (Garber) to extend discharge & time to file complaint  
objecting to discharge filed 9/22; d/e # 12

Motion of U. S. Trustee (Garber) for R2004 examination, filed 9/22; d/e # 13

Giles	WILLIAM WOOD-ch7	7-02-01519	McLean/GR
	Fee Appl. George A. McLean Jr Trustee, in amt of \$375.28 and \$16.24 expense filed 9/16, d/e # 20, 21		
	<b><i>–ORDER waiving notice and approving fee entered 9/18; hearing cancelled</i></b>		
M Hart	LAWRENCE & DEBORAH SHAIN-ch7	7-02-03372	McLean/SJ
	Motion of Trustee for Order Directing Proceeds from Estate be Turned over to Trustee filed 6/27; d/e # 20		
	<u>Answer of Debtors (Hart) filed 7/3 d/e # 22</u>		
	<i>–contd from 9/22 for trustee to file Motion/Notice to Approve Compromise</i>		
Krippend	MICHAEL & ROXANE HILL-ch13	7-02-01744	Connelly/SO
	Debtor Motion to Reconsider Order Vacating Stay in Motion #1: John Kosko, Trustee under John Kosko Living Trust (McLean) v. debtor & trustee - <i>contd from 7/14, 8/11 &amp; 9/22</i>		
Roanoke Calendar - 10/27/03			
<b><u>2:00 P. M. - MISCELLANEOUS</u></b>			
Zadell	LATONYA WILLIAMS-ch7	7-03-03092	Creasy/SJ
	Motion of Trustee (Creasy) for extension of time to file obj to exemptions; complaints re: Discharge/dischargeability for 90-days from original deadlines Filed 9/22; d/e # 14, 15		
	<b><i>ORDER of 10/1 dismissed trustee's motion, cancels hearing</i></b>		
Krippend.	FRANK OVERSTREET JR	7-03-03535	Creasy/SL
	Motion of debtor for valuation v. Tico Credit on 1979 Honda filed 9/10 ; d/e # 10, 12		
	Motion of Debtors to Redeem Property (Tico Credit), filed 9/19; d/e # 11, 12		
Beck	ROANOKE PRO FOOTBALL LLC- ch7	7-02-02053	Vogel/VS
	Motion of Trustee for compensation for Richard Yancey as Accountant in amt of \$978.75 and \$32.00 expenses filed 9/25; d/e # 24, 25, 26 , 27		
	<i>Notice by Trustee 10/22 – no objections filed [d/e # 32]</i>		

Krippend.      MICHAEL & TINA JACKSON-ch7      7-03-03456      Vogel/JJ  
Motion #1: relief - filed 9/30; d/e # 14, 15, 16  
ABN AMRO Mortgage Group Inc. (Christine Patterson) v. debtors & trustee  
**-Order entered 10/17 granting relief-hrg. cancelled**

Norfleet\*      LINDA & STE VEN LIVERMAN      7-01-00225      Krippend./SL  
\*debtor counsel no longer practicing  
Motion of Trustee for fees of \$3,917.49 & \$323.32 expenses filed 9/26; d/e # 81 to 84

Doss      PATRICIA JOHNSON SMITH      5-03-01492-rwk-7      Wolfe, Roy  
Motion #1: Relief - *recusal of Harrisonburg case to WFS*  
Wachovia Bank (Smith) v. debtor & trustee

M Hart      DONALD & BETTY ANGLE-ch7      7-03-03401      Vogel/GR  
Motion #1: relief - filed 10/1; d/e # 13, 14; *movant's certification filed 10/6, d/e # 15*  
Virginia Housing Development Authority (Wade) v. debtors & trustee

Roanoke Calendar - 10/27/03

**2:00 P. M. - MISCELLANEOUS**

Szathmary      TERRY DEHART-ch7      7-03-02945      McLean/SL  
Motion #1: Relief - filed 10/1; d/e # 12, 14, 15  
Wells Fargo Home Mortgage (Sasser) v. debtor & trustee  
RESPONSE filed by Debtor 10/14 [d/e # 20]

M Giles      IRVIN ATKINS-ch7      7-03-02954      McLean/SL  
Motion #1: Sell property free and clear of liens filed 10/1; d/e # 20  
Trustee, George A. McLean (McLean) v. \_\_\_\_?\_\_\_\_\_  
(Sell 4.59 acres on State Rt 709 Franklin Co, VA to Heatherwood Properties  
For \$28,000)

Objection to Debtors' claim of exemptions (Homestead); filed ;9/25; d/e # 76  
–**ORDER dismissing trustee motion entered 10/23**

Kendrick      DOUGLAS & MELISSA MOORE-ch7 ABG      7-03-02833      Shortridge/VS  
Motion #1: Relief - *noticed at Roanoke in error - **renoticed for Abingdon date***  
Consumer Finance (I Goldstein) v. debtors & trustee

Moses      TRAVIS & MARSHA CROWE-ch7      7-03-035189      Krippend/AF  
Motion #2: Relief - filed 10/3; d/e # 19,  
Chase Manhattan Mortgage Corp (Clarke) v. debtors & trustee  
–**ORDER of 10/23 granted relief**

Pro se      APRIL JENNINGS - Ch. 7      7-02-03697      McLean/NS  
Show Cause why Debtor should not be held in contempt of this Court for  
failure to comply with Court's Order [d/e # 28]

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**2:30 P. M. - TRIAL**

M Hart      KIM R. LYLES - Ch7      7-03-01645      Allen/LM  
A/P 7-03-00058: Determine dischargeability  
Debtor v. Internal Revenue Service (Charles Keen) & Charles R. Allen, Tr(      )